

D.B. CIVIL WRIT PETITION (PIL)NO.2966/2006

Villagers of Kewada & Anr.

Vs.

Chief Engineer, PWD, Jaipur

DATE OF ORDER :: 12-02-2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA

HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri Vijay Yadav, for the petitioners.

This writ petition has been filed as a public interest litigation challenging the change of route of a road. It is said that as per resolution of the Gram Sabha, road was to be constructed between villages Devpura Kewda having a distance of 2.8 kms, but by changing the route/alignment, the road is now proposed to be constructed via Kotdi with increased distance of 3kms. We are of the view that change of route is apparently in the interest of the residents of Kotdi and it will lead to more connectivity. In any view, while exercising power of judicial review under Article 226 of the Constitution of India, it is not possible for this Court to weigh the comparative benefits of different routes. That is for the concerned authorities to decide.

In that view of the matter, we would decline to interfere in the matter and thus dismiss the writ petition.

[MOHAMMAD RAFIQ], J.

[S.N.JHA], CJ.

Praveen